

Derrick Talerico (State Bar No. 223763)
dtalerico@wztslaw.com
David B. Zolkin (State Bar No. 155410)
dzolkin@wztslaw.com
WEINTRAUB ZOLKIN TALERICO & SELTH LLP
11766 Wilshire Boulevard, Suite 730
Los Angeles, CA 90025
Telephone: (424) 500-8552

General Bankruptcy Counsel to
Chapter 11 Debtor and Debtor in Possession,
SEATON INVESTMENTS, LLC

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA – LOS ANGELES DIVISION

In re:

SEATON INVESTMENTS, LLC, *et al.*,

Debtors and Debtors In
Possession.

Lead Case No. 2:24-bk-12079-VZ

Jointly Administered with Case Nos.:
2:24-bk-12080-VZ; 2:24-bk-12081-VZ;
2:24-bk-12082-VZ; 2:24-bk-12091-VZ;
2:24-bk-12074-VZ; 2:24-bk-12075-VZ and
2:24-bk-12076-VZ

Chapter 11

**NOTICE OF HEARING ON MOTION
BY AFFECTED DEBTORS FOR
ENTRY OF AN ORDER
AUTHORIZING USE OF CASH
COLLATERAL PURSUANT TO
11 U.S.C. § 363(C)(2) AND RELATED
DEADLINES**

Hearing:

Date: June 20, 2024
Time: 11:00 a.m.
Courtroom: 1368
255 E. Temple Street
Los Angeles, CA 90012

- ☐ Affects All Debtors.
- ☒ Affects Seaton Investments, LLC
- ☒ Affects Colyton Investments, LLC
- ☐ Affects Broadway Avenue Investments, LLC
- ☒ Affects SLA Investments, LLC
- ☒ Affects Negev Investments, LLC
- ☒ Affects Alan Gomperts
- ☐ Affects Daniel Halevy
- ☒ Affects Susan Halevy

1 **PLEASE TAKE NOTICE** that Seaton Investments, LLC, Colyton Investments, LLC, SLA
2 Investments, LLC, and Negev Investments, LLC (collectively, the “Corporate Debtors”), and Susan
3 Halevy and Alan Gomperts (collectively, the “Individual Debtors,” and the Individual Debtors,
4 collectively with the Corporate Debtors, the “Debtors”), debtors and debtors-in-possession in the
5 pending jointly administered chapter 11 bankruptcy cases herein (the “Bankruptcy Cases”), filed a
6 *Motion by Affected Debtors for Entry of an Order Authorizing Use of Cash Collateral Pursuant to*
7 *11 U.S.C. Section 363(c)(2)* (the “Motion”) [Doc. No. 87] on June 7, 2024, for the entry of an order
8 authorizing use of cash collateral pursuant to 11 U.S.C. § 363(c)(2).

9 **PLEASE TAKE FURTHER NOTICE** that in conjunction with the filing of the Motion,
10 the Debtors filed an application requesting the Court set a hearing on the Motion on shortened
11 notice.

12 **PLEASE TAKE FURTHER NOTICE** that pursuant to the *Order Granting Application*
13 *and Setting Hearing on Shortened Notice* (the “Order”) [Doc. No. 91], a copy of which is attached
14 hereto as **Exhibit 1**, the Court has **set the hearing on the Motion for June 20, 2024 at 11:00 a.m.**
15 in Courtroom 1368 of the United States Bankruptcy Court, Central District of California, Los
16 Angeles Division, 255 East Temple Street, Los Angeles, CA 90012.

17 **PLEASE TAKE FURTHER NOTICE** that pursuant to the Order, the deadline to file and
18 serve any written opposition(s) to the Motion is **June 17, 2024 at 12:00 p.m.** (the “Opposition
19 Deadline”). Any written opposition(s) must be:

20 1) Filed with the Clerk of the Court, 255 East Temple Street, 2nd Floor, Los Angeles,
21 CA 90012, with a copy to the courtesy dropbox of the Honorable Vincent P. Zurzolo, United States
22 Bankruptcy Judge, 255 East Temple Street, Suite 1368, Los Angeles, CA 90012. Any
23 opposition(s) to the Motion must comply with Local Bankruptcy Rule 9013-1(f). Any chambers
24 copies must be in compliance with the Central Guide 2-02, and the procedures of the
25 Honorable Vincent P. Zurzolo; and

26 2) Served by the deadline set forth above on the following parties: (i) Attorneys for
27 the Corporate Debtors: Derrick Talerico, Weintraub Zolkin Talerico & Selth LLP, 11766 Wilshire
28 Blvd., Suite 730, Los Angeles, 90025; (ii) Attorneys for the Individual Debtors: Zev Shechtman,

Saul Ewing LLP, 1888 Century Park East, Suite 1500, Los Angeles, CA 90067; and (iii) Kelly L. Morrison, Office of the United States Trustee, 915 Wilshire Blvd., Suite 1850, Los Angeles, CA 90017, by the methods set forth in the Order so that it is received by the Opposition Deadline.

PLEASE TAKE FURTHER NOTICE that pursuant to the Order, the deadline to file and serve any reply to any opposition(s) to the Motion is **June 19, 2024 at 12:00 p.m** (the “Reply Deadline”). Any reply must be filed with the Court by the Reply Deadline, with courtesy chambers copies to the Honorable Vincent P. Zurzolo, and served upon the opposing party(ies) and the Office of the United States Trustee so that it is received by the Reply Deadline.

PLEASE TAKE FURTHER NOTICE that any party wishing to appear at the hearing, whether by phone or in-person, must comply with the Phone/Video Appearances Procedures of the Honorable Vincent P. Zurzolo, posted on the Court’s website at **www.cacb.uscourts.gov** by picking the Judges tab, then the link for Judge Zurzolo and the tab for Phone/Video Appearances on Judge Zurzolo’s page.

PLEASE TAKE FURTHER NOTICE that pursuant to Local Rule 9013-1(h), if a party does not timely file and serve documents, the Court may deem this to be consent to the granting or denial of the Motion.

Dated: June 10, 2024

WEINTRAUB ZOLKIN TALERICO & SELTH LLP

By: /s/ Derrick Talerico

Derrick Talerico

Counsel to Debtors Seaton Investments, LLC, Colyton Investments, LLC, SLA Investments, LLC, and Negev Investments, LLC

-and-

SAUL EWING LLP

Zev Shechtman

Carol Chow

Turner N. Falk

Attorneys to Debtors Alan Gomperts and Susan Halevy

EXHIBIT 1

Attorney or Party Name, Address, Telephone & FAX Nos.,
State Bar No. & Email Address

Derrick Talerico (SBN 223763)
David B. Zolkin (SBN 155410)
WEINTRAUB ZOLKIN TALERICO & SELTH LLP
11766 Wilshire Blvd., Suite 730
Los Angeles, CA 90025
Telephone: 424-500-8552
Email: dtalerico@wztslaw.com
dzolkin@wztslaw.com

Zev Shechtman (SBN 266280)
Carol L. Chow (SBN 169299)
Turner N. Falk (Admitted *pro hac vice*)
SAUL EWING LLP
1888 Century Park East, Suite 1500
Los Angeles, CA 90067
Telephone: 310-255-6100
Email: zev.shechtman@saul.com
carol.chow@saul.com
turner.falk@saul.com

- ☐ Individual appearing without attorney
☒ Attorney for: Corporate Debtors (Weintraub Zolkin
Talerico & Selth LLP) Individual Debtors (Saul Ewing LLP)

FOR COURT USE ONLY

FILED & ENTERED

JUN 07 2024

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY johnson DEPUTY CLERK

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION

In re:

SEATON INVESTMENTS, LLC,

Debtor.

- ____ Affects all Debtors.
☒ Affects Seaton Investments, LLC
☒ Affects Colyton Investments, LLC
____ Affects Broadway Avenue Investments, LLC
☒ Affects SLA Investments, LLC
☒ Affects Negev Investments, LLC
☒ Affects Susan Halevy
____ Affects Daniel Halevy
☒ Affects Alan Gomperts

Debtors(s)

CASE NO.: 2:24-bk-12079-VZ

Jointly Administered with Case Nos.

2:24-bk-12080-VZ
2:24-bk-12081-VZ
2:24-bk-12082-VZ
2:24-bk-12091-VZ
2:24-bk-12076-VZ
2:24-bk-12075-VZ
2:24-bk-12074-VZ

CHAPTER: 11

ORDER:

- ☒ **GRANTING APPLICATION AND
SETTING HEARING ON SHORTENED
NOTICE**
☐ **DENYING APPLICATION FOR ORDER
SETTING HEARING ON SHORTENED
NOTICE**

[LBR 9075-1(b)]

Movant (name): Seaton Investments, LLC, Colyton Investments, LLC, SLA Investments, LLC, Negev Investments, LLC, Susan Halevy and Alan Gomperts

1. Movant filed the following motion together with supporting declarations and (if any) supporting documents:
 - a. *Title of motion*: "Motion by Affected Debtors for Entry of an Order Authorizing Use of Cash Collateral Pursuant to 11 U.S.C. Section 363(c)(2)"
 - b. *Date of filing of motion*: June 7, 2024
2. Pursuant to LBR 9075-1(b), movant also filed an Application for Order Setting Hearing on Shortened Notice (Application) together with supporting declaration(s):

Date of filing of Application: June 7, 2024
3. Based upon the court's review of the application, it is ordered that:
 - a. ☐ The Application is denied. The motion may be brought on regular notice pursuant to LBRs.
 - b. ☒ The Application is granted, and it is further ordered that:
 - (1) ☒ A hearing on the motion will take place as follows:

Hearing date: June 20, 2024	Place:
Time: 11:00 a.m.	<input checked="" type="checkbox"/> 255 East Temple Street, Los Angeles, CA 90012
Courtroom: 1368	<input type="checkbox"/> 21041 Burbank Boulevard, Woodland Hills, CA 91367
	<input type="checkbox"/> 3420 Twelfth Street, Riverside, CA 92501
	<input type="checkbox"/> 411 West Fourth Street, Santa Ana, CA 92701
	<input type="checkbox"/> 1415 State Street, Santa Barbara, CA 93101

- (2) ☒ No later than the deadlines given, **telephonic notice** of the hearing must be provided to all persons/entities listed:

(A) <u>Deadlines:</u>	(B) <u>Persons/entities to be provided with telephonic notice:</u>
Date: June 10, 2024	secured creditors, 20 largest unsecured creditors
Time: 12:00 p.m.	<input type="checkbox"/> See attached page
	(C) <u>Telephonic notice is also required upon</u> the United States trustee

- (3) ☒ No later than the deadlines given, **written notice of the hearing** and a **copy of this order** must be served upon all persons/entities listed using: ☒ one of the methods checked ☐ all of the methods checked

(A) ☒ Personal Delivery ☒ Overnight Mail ☐ First class mail ☐ Facsimile* ☒ Email*

(B) <u>Deadlines:</u>	(C) <u>Persons/entities to be served with written notice and a copy of this order:</u>
Date: June 10, 2024	secured creditors, 20 largest unsecured creditors
Time: 12:00 p.m.	<input type="checkbox"/> See attached page
	(D) <u>Service is also required upon:</u>
	-- United States trustee (<i>electronic service is not permitted</i>)
	-- Judge's copy personally delivered to chambers (see Court Manual for address)

- (4) ☒ No later than the deadlines given, a copy of the motion, declarations, and supporting documents (if any), must be served on all persons/entities listed using: ☒ one of the methods checked ☐ all of the methods checked

(A) ☒ Personal Delivery ☒ Overnight Mail ☐ First Class Mail ☐ Facsimile* ☒ Email*

(B) Deadlines:

Date: June 10, 2024

Time: 12:00 p.m.

(C) Persons/entities to be served with motion, declarations, supporting documents:

secured creditors, 20 largest unsecured creditors

☐ See attached page

(D) Service is also required upon:

-- United States trustee (*no electronic service permitted*)

-- Judge's copy personally delivered to chambers
(see Court Manual for address)

- (5) ☒ Regarding **opposition to the motion**

☐ opposition to the motion may be made **orally** at the hearing

- ☒ no later than the deadlines given, **written opposition to the motion** must be filed with the court and served upon all persons/entities listed using: ☒ one of the methods checked ☐ all of the methods checked

(A) ☒ Personal Delivery ☒ Overnight Mail ☐ First Class Mail ☐ Facsimile* ☒ Email*

(B) Deadlines:

Date: June 17, 2024

Time: 12:00 p.m.

(C) Persons/entities to be served with written opposition to the motion:

-- movant's attorney (or movant, if movant is not represented by an attorney)

(D) Service is also required upon:

-- United States trustee (*electronic service is not permitted*)

-- Judge's copy personally delivered to chambers
(see Court Manual for address)

- (6) ☒ Regarding a **reply to an opposition:**

☐ a reply to opposition may be made **orally** at the hearing.

- ☒ no later than the deadlines given, a **written reply to an opposition** must be filed with the court and served on all persons/entities listed using: ☒ one of the methods checked ☐ all of the methods checked

(A) ☒ Personal Delivery ☒ Overnight Mail ☐ First Class Mail ☐ Facsimile* ☒ Email*

(B) Deadlines:

Date: June 19, 2024

Time: 12:00 p.m.

(C) Persons/entities to be served with written reply to opposition:

-- All persons/entities who filed a written opposition

(D) Service is also required upon:

-- United States trustee (*electronic service is not permitted*)

-- Judge's Copy personally delivered to chambers
(see Court Manual for address)

- (7) ☒ Other requirements: Declaration(s) must be filed by Movant(s) explaining why authority to use cash collateral is only now being sought for the first time, over two months after the Petition Dates of the respective cases.

- (8) ☒ No later than the deadlines given, movant must file a **Declaration of Notice and Service** establishing that telephonic notice, written notice, and service of the motion and this order was completed as set forth above, and a **judge's copy** of the Declaration of Notice and Service must be personally delivered to the judge's chambers:

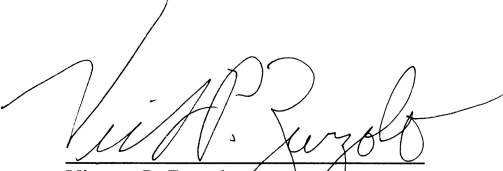
☒ at least 2 days before the hearing.

☐ no later than: Date: Time:

* Service by electronic means (facsimile or email) requires compliance with F.R.Civ.P. 5(b)(2)(E).

###

Date: June 7, 2024



Vincent P. Zurzolo
United States Bankruptcy Judge

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
11766 Wilshire Blvd, Suite 730, Los Angeles, CA 90025

A true and correct copy of the foregoing document entitled (*specify*): **NOTICE OF HEARING ON MOTION BY AFFECTED DEBTORS FOR ENTRY OF AN ORDER AUTHORIZING USE OF CASH COLLATERAL PURSUANT TO 11 U.S.C. § 363(C)(2) AND RELATED DEADLINES** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)**: Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) June 10, 2024, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

See attached NEF Service List

☒ Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL**:

On (*date*) _____, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) June 10, 2024, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

The Honorable Vincent Zurzolo (via personal delivery)
United States Bankruptcy Court
255 E Temple St Suite 1360
Los Angeles, CA 90012

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

June 10, 2024
Date

Martha E. Araki
Printed Name

/s/ Martha E. Araki
Signature

Seaton Investments, LLC – Jointly Administered

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):

- Attorneys for Corporate Debtors Seaton Investment, LLC, Colyton Investments, LLC, Broadway Avenue Investments, LLC, Negev Investments, LLC, SLA Investments, LCC.: **Derrick Talerico:** dtalerico@wztslaw.com; maraki@wztslaw.com; sfritz@wztslaw.com
- Attorneys for Individual Debtors Alan Gomperts, Daniel Halevy, Susan Haley: **Zev Shechtman, Carol Chow, Turner Falk:** zev.shechtman@salu.com; zshechtman@ecf.inforuptcy.com; carol.chow@saull.com; easter.santamaria@saull.com; turner.falk@saull.com
- Attorneys for Creditor Korth Direct Mortgage, Inc.: **Tanya Behnam:** tbehnam@polsinelli.com, tanyabehnam@gmail.com; ccripe@polsinelli.com; ladocketing@polsinelli.com
- Attorneys for Creditor Archway Real Estate Income Fund I SPE I, LLC: **Michael G. Fletcher, Bruce D. Poltrock, Gerrick Warrington:** mfletcher@frandzel.com; gwarrington@frandzel.com; bpoltrock@frandzel.com; sking@frandzel.com; achase@frandzel.com
- Courtesy NEF/Interested Party: **Todd S Garan:** ch11ecf@aldridgepite.com; TSG@ecf.inforuptcy.com; tgaran@aldridgepite.com
- Attorneys for Creditor Harvest Small Business Finance, LLC: **Jacqueline L James:** jjames@hrhlaw.com
- Courtesy NEF/Interested Party Avi Muhtar: **Avi Edward Muhtar:** amuhtar@eaccidents.com
- Courtesy NEF/Interested Party: **Jennifer C Wong:** bknotice@mccartyholthus.com; jwong@ecf.courtdrive.com
- US Trustee's Office: ustpregion16.la.ecf@usdoj.gov; **Kelly L. Morrison:** Kelly.l.morrison@usdoj.gov